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Attorneys for Defendant Honeywell International Inc.

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

WESLEY WHITE, a minor, by and through his parent and natural guardian, MICHELLE WHITE, for herself, both as heir of JOEL WHITE and as Personal Representative of the Estate of JOEL WHITE, deceased,

Plaintiffs,

vs.

THE NEW PIPER AIRCRAFT
CORPORATION, a foreign corporation;
WEST STAR AVIATION, INC., a foreign
Corporation; ALLIEDSIGNAL INC.;
ELECTRONIC AND AVIONICS
SYSTEMS, BENDIX KING DIVISION, a
foreign Corporation; AERONAUTICAL
TESTING SERVICE, a foreign corporation,

Defendants.

## JOINT MOTION TO MOVE TRIAL DATE

Case No. 2:99CV 0896B

Judge: Dee V. Benson

Magistrate Judge: Samuel Alba



Defendant Honeywell International, Inc., Defendant West Star Aviation, Inc., and Plaintiffs (collectively referred to as the "Movants") hereby jointly move the Court for an order moving the trial date sixty (60) days from February 7-18, 2005 to dates in April 2005. In support of this motion, the Movants state as follows:

There is currently pending before the Court several motions, including (i) Defendant Honeywell International, Inc.'s Motion for Summary Judgment; (ii) Defendant West Star Aviation, Inc.'s Motion for Ruling and Briefing on Issue of Settlement Set-off; (iii) Plaintiffs' Rule 41(a)(2) Motion for Dismissal of The Piper Aircraft Corporation Irrevocable Trust; and (iv) The Piper Aircraft Corporation Irrevocable Trust's Motion for a Protective Order Barring the Rule 30(b)(6) Deposition Sought By Defendant West Star Aviation, Inc. Oral argument has yet to occur on these motions. The resolution of these motions could determine which parties will remain in this matter as well as which issues will be tried before this Court. Furthermore, the resolution of these motions could significantly reduce the amount of pre-trial motion practice that will be required prior to trial. Before the Movants continue to expend time and money in preparing for a trial set in February 2005, the Movants request that the Court move the trial date sixty days to dates in April 2005 that work with the Court's calendar. The Movants will make themselves available at the Court's convenience for a scheduling conference to set the dates for trial in April 2005. The Movants believe that moving the trial date will clarify which issues, if any, remain to be tried by this Court.

The Movants are all the remaining parties in this matter, and the Movants have all informed Honeywell International, Inc.'s counsel that they join in this motion.

December 20th, 2004

Respectfully submitted,

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## **CERTIFICATE OF MAILING**

I hereby certify that I caused to be mailed a true and accurate copy of the foregoing, postage prepaid, on the 20th day of December, 2004:

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